

Remarks

The specification has been amended to remedy the misnumbering indicated by the Examiner. Claim 1 has been amended to include the limitation of claim 8, claims 9 and 17 have been amended to remedy several minor errors and claims 22-24 have been cancelled. Reconsideration of the rejection of claims 1-21 respectfully is requested in view of the following comments.

Each of the claims now recites a machine having receptacle mounted on the support frame, positioned to receive articles removed by the conveyor tines and carried upwardly and rearwardly on the conveyor and discharged into the receptacle, having a set of tines mounted on a front, transverse wall thereof, cooperable with the conveyor tines to dislodge articles carried by the conveyor tines. It is submitted that none of the references taken either singularly or in combination disclose or teach such structure. It particularly is submitted that it would not be obvious to modify the machine disclosed in Barber as purportedly taught by Etzler to arrive at the claimed structure.

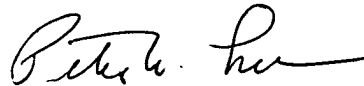
In the machine disclosed in the Barber Patent, it will be noted that specific means is provided for removing materials carried upwardly and rearwardly by conveyor 72, i.e., a rotary brush 112. Shaft 117 on which the brush is provided is not mounted on any wall of receptacle 100 but journaled in extensions 103 and 105 of the main frame of the machine, and is rotated by a belt 113 which transmits drive from the conveyor to shaft 117 through a sprocket. Eliminating such structure and mounting cooperating tines on any wall structure of container 100 would amount a substantial reconstruction of the Barber machine. Furthermore, it is submitted that nothing in the Etzler Patent teaches the replacement of the brush arrangement in the Barber machine with fixed, cooperating tines mounted on the receptacle thereof. Etzler discloses and teaches nothing more than an attachment for the bucket of a front end loader which permits the front end loader to manipulate, lift, transport and dump a large load of bailed material. As indicated in column 3, lines 21-30, the attachment is used in a manner whereby when mounted on the bucket of a front end loader, the front end loader may be advanced toward a load so that the sharpen ends of tines 38 will impale and penetrate a load until the forward rim defining the front opening of the bucket comes into contact with the load. The bucket with the load thus attached is then lifted by the arms on which the bucket is mounted. In this regard, it particularly is pointed out that the implement and bucket apply two forces to the load and the tines of the

implement provide an upward lifting force and the forward rim of the bucket provides a lateral force against the side of the load resisting any moment of rotation of the load about the tines thus stabilizing the load. Clearly, the teaching of Etzler is far removed from teaching the replacement of the rotary brush arrangement of Barber with a set of tines mounted on the container of Barber which cooperate with the conveyor tines for combing out particles carried by the conveyor tines.

In view of the foregoing, it respectfully is requested that the rejection of claims 1-21 be withdrawn, such claims be allowed and that the application be passed to issue.

The Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account 19-4375.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter N. Los", with a stylized flourish at the end.

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